

## INTENT OF PARTIES IN CANAL TREATY

Choate Believes Correspondence  
Precludes Idea of Exemption  
From Tolls.

TAFT THOUGHT IT SUBSIDY

New Points Brought Out at  
Hearing on Question Before  
Senate Committee.

Washington, April 16.—Joseph H. Choate, American ambassador to Great Britain during the negotiation of the Hay-Pauncefote treaty, believes correspondence with the British government at that time precludes the idea that American coastwise shipping can be exempted from paying tolls through the Panama Canal.

Former President Taft, who signed the Panama Canal bill, maintaining the exemption clause, thought that in doing so he was granting a subsidy to American coastwise shipping, and believes that unless Congress reverses itself, the United States will have to submit the question of arbitration.

These points, both welcomed by special advocates, were brought out today at the hearing before the Senate Committee on Inter-Commerce Canals. Senator Simmons introduced a train of an address delivered by Mr. Taft before the Canadian Club at Ottawa last January, and Mr. Choate's views were submitted in a letter to Henry White, secretary of the American embassy at London, while Mr. Choate was ambassador, accompanied by letters addressed by him to the secretary of State, explaining the progress of the negotiations.

**Equality Is Constant Theme.**  
Mr. Choate wrote that the correspondence established beyond question the intent of the parties in the negotiations that the treaty should mean exactly what it says, and precludes the possibility of the exemption of any kind of vessels of the United States, Equality between the United States and Great Britain is the constant theme.

Mr. Choate reviewed the attitude of Lord Lansdowne, by saying that the Clayton-Bulwer treaty gave an American canal, ours to build and where we had control, control and govern, on the sole condition of its being always neutral and free for the use of the ships of all nations on equal terms, except that if we went into a war with any nation, we may shut its ships out and take care of ourselves.

Mr. Taft in his address, declared that there are some nations that talk in absurd tones about the right of the United States to manage her own canal and her own property as she likes, no matter what she has agreed to, but this is all froth. These are the explosive points.

He added that he had no idea of breaking a treaty, but the question was the treaty means.

Dr. Ernst, Richard, of New York, president of the German-American Washington, D. C., were the only witnesses before the committee today, should live up to treaty obligations, and said the only people to rain by coastwise shipping exemption would be ship owners.

A committee of the New York Chamber of Commerce will be heard tomorrow.

### CHILDREN'S PLAY

"Little Pilgrims and the Book Beloved"

To-night and tomorrow night at 8:15 o'clock and tomorrow afternoon at 2:15, in the parish house of St. James Episcopal Church, corner of Third and Franklin Streets, will be presented "The Little Pilgrims and the Book Beloved."

This children's play is a beautiful modern morality, which expounds by very obvious symbolism the precepts and meaning of the Episcopal Book of Common Prayer, its services, offices and sacraments.

It was given a year or more ago at St. Andrew's Episcopal Church by the Juniors of all the Episcopal churches in Richmond with great success, and these performances will be given by the same children who took part in it at that time.

The object for which the play is undertaken is the support of a teacher among the Ragged Mountains of Virginia.

**Suspicious Character.**  
Frank Dahney, colored, was arrested yesterday by Detectives Wiley, Keenan and G. P. Smith and locked up at the First Police Station as a suspicious

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## The Virginia-West Virginia Debt Case By James G. Randall, Ph. D.

James G. Randall, Ph. D., department of history and social science at Roanoke College, Salem, Va., has prepared for magazine publication an exhaustive history of the Virginia-West Virginia debt case, of which the following is a summary.

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## "WE ARE READY," DECLARES BADGER

(Continued from First Page.)

heard speakers laid the preparedness of the navy for immediate action, as shown by the prompt departure of a powerful squadron for Mexican waters at the call of the Washington authorities this week.

Colonel Robert M. Thompson presided. At the speaker's table, among others, were Captain Albert Heaves, commandant of the Brooklyn Navy-Yard; Rear-Admiral A. T. Mahan, retired; Rear-Admiral Charles D. Sigsbee, retired; Dr. Henry S. Drinker, president of Lehigh University; and the Rev. John P. Childwick, chaplain of the old battleship Maine.

Once more the nation in time of stress has called on the navy," said Colonel Thompson in his address, "and as ever the navy has been found prepared and ready for immediate action, able to do what it is asked to do."

**WOMEN IN CONVENTION**  
Miscellaneous Union of East Hanover Presbytery Meets.

With seventy delegates in attendance, the Women's Missionary Union of East Hanover Presbytery is holding a convention at Westminster Presbyterian Church, in the city of Washington, today, and will continue through to-morrow.

There will be two services to-day, both to dispose of business. Rev. S. A. Gammon, of Brazil, will make an address.

The convention opened on Wednesday night, when Rev. Homer McMillan, of Atlanta, conducted the service. The young people's service yesterday was led by Rev. Wesley Baker, of South Hinton, and other music was rendered by the Union Theological Seminary choir, which sang in the basement.

**New Trial Ordered.**  
Hartford, Conn., April 16.—Ruling that part of the evidence given by Coroner Mix in her trial should have been excluded, the Supreme Court yesterday found error in the conviction of Mrs. Beattie J. Wakenfield of murder in the first degree, and ordered a new trial for the woman.

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The Exhibit occupies the second, third and fourth floors of the old Chamber of Commerce and Manufacturers' Building, Sixth and Main Streets.

## Richmond Manufacturers' Exhibit, Incorporated

Adams, W. H.  
Albemarle Paper Co.  
American Bread and Baking Co.  
American Furn. & Fixture Co.  
American Locomotive Co.  
Atlantic Varnish Works, Inc.  
Baughman Stationery Co.  
Bell Book & Stationery Co.  
Binawanger & Co., Inc.  
Bishop, S. E.  
Biggs Antique Co., Inc.  
Brinners Sons, E. C.  
Cardwell Machine Co.  
Commercial Photo Co.

Cobb Manufacturing Co.  
Cottrell Saddlery Co.  
Christopher Engraving Co.  
Christo Manufacturing Co.  
Crumpp & Co., Benj. T.  
Dill, Inc., Jos. G.  
Dunlop Mills.  
Duplex Envelope & Printing Co.  
Foster, J. H.  
Foster's "Cherry Smash."  
Gordon Metal Co.  
Gebhardt Mfg. Co.  
Hammond Co.  
Hill Directory Co.  
James River Furn. & Mat. Co.  
Johnson Publishing Co., B. F.

Kratz Co., A. S.  
Larus Bros. Co.  
Lee & Co., D. M.  
Lee & Sons Co., A. S.  
Miller Mfg. Co.  
Mercer & Miller.  
Municipal Exhibit.  
News Leader Co., The  
Old Dominion Iron & Nail Works.  
Pohlitz Bros.  
Randolph Paper Box Co.  
Richmond Cedar Works.  
Rich. Corrugated Paper Co.  
Richmond Forging Co.  
Richmond Buggy Mfg. Co.

Richmond Stove Co.  
Rich. Structural Steel Co.  
Richmond Wood Working Co.  
Sauer Co., C. F.  
Smith-Courtney Co.  
Southern Manufacturing Co.  
Southern Stamp & Sta. Co.  
Southern Stove Works.  
Tanner Paint Co., W. S.  
Tanner-Shine Polish Co.  
Va.-Caro. Chemical Co.  
Westmoreland Candy Co.  
Williams Printing Co.  
Whittier & Shepperson.  
Wortendyke Mfg. Co.

A FEW SPACES TO LEASE TO RICHMOND MANUFACTURERS.

was made. The old securities were to be surrendered for new bonds for two-thirds of the debt, and for the unfunded third certificates were to be issued providing payment in accordance with such settlement as shall hereafter be made between the States of Virginia and West Virginia in regard to the public debt.

At the time of the dismemberment, the refunding act of 1875 and similar acts of 1882 and 1892, the same two-thirds division was recognized.

These later refunding acts in regard to the refunding of the debt of Virginia sought to release herself from any liability for the unfunded portion by providing that the certificates should be issued to the holders of the original obligation, but this did not relieve her of the original obligation to the certificate-holders of 1871, many of whom refused to accept the new securities, and thus were unaffected by the later refunding clauses.

Though Virginia was criticized for rather arbitrarily determining West Virginia's share without consulting her, yet it must be remembered that the old unsatisfactory condition of the debt could not continue much longer, and that until a settlement between the States was reached the bondholders would look to the original State government for satisfaction, whereas West Virginia might delay indefinitely without any impairment of credit.

**Efforts of no Avail.**  
A commission was appointed by Virginia in 1890 to negotiate a settlement with West Virginia, but all its efforts proved unavailing, and in 1895 the Legislature of the new State denied any liability whatever for the "so-called foreign and domestic bondholders for a prosecution of the case, and in 1896 before the Supreme Court. West Virginia demurred to the Supreme Court's jurisdiction, even insisting that the court could not enforce a decree if it were entered, but the demurrer was overruled in a decision delivered by Chief Justice Fuller. Certain statistical master (Charles E. Littlefield, of Mathe). Each party prepared its draft of a decree of reference, supporting the drafts with contenting briefs, and ready briefs besides oral arguments of counsel. The court, steering a middle course, issued as colorless a decree as possible, asking the master to investigate certain points without prejudi-

cial to any question in the case." Then followed another series of briefs and replies occasioned by West Virginia's motion to modify the decree of reference. The special master employed expert accountants and conducted many hearings, as his elaborate reports, schedules and exhibits indicate.

He reported that the amount of the debt in 1861 was \$32,877,032.82; that the free population at the time of separation was 245,000; that the population of Virginia almost exactly one-third, while she possessed 24.5 per cent of the population with slaves. Appraising the real and personal property values as of 1861 (including allowances for depreciation during the war), he placed the total taxable values, including slaves at \$25,000,000 in Virginia and \$88,000,000 in West Virginia. Dividing the debt on this basis, West Virginia would pay about 15 per cent. Without slaves, the total value of all property in Virginia was found to be \$200,000,000 and in West Virginia \$25,000,000; on this basis West Virginia should have charged with 23.5 per cent of the debt.

**Broad Decision Given.**  
In 1911 the case was again heard in the Supreme Court, and a broad and untechnical decision was delivered by Mr. Justice Holmes. He held that a contract existed binding West Virginia to bear an equitable share of the debt, that the obligation was a general one, meaning that the debt was to be apportioned according to territory; that Virginia's funding acts did not affect the new State's liability, which was grounded on a "debt-seated equity," and that changes in the form of the debt did not alter the fundamental obligation. Having the apportionment on the basis of the population of 1861, he reduced by about \$2,000,000, owing to Virginia's composition with her creditors. The decision contained a reservation regarding a possible mathematical error.

The Supreme Court's opinion in this form was not a final decree. One point particular was left open, namely, the question of the funding of the debt, which the court had left to the Legislature. The court, then a judge, recommended that a reference be made by the States to be held for the purpose of making final adjustment of the debt, and suggested that the case be referred to a "great States," called for forbearance on both sides.

The efforts made by the Virginia commission during 1911 and 1912 to secure a compromise were unavailing. West Virginia, reading the Virginia Legislature alone could act, and that in the special session of May, 1911, called for another purpose, the debt could not be legally considered.

In February, 1913, a debt commission was created by the West Virginia Legislature, and a joint session was held at Washington in July with the Virginia commission, but neither commission had any terms to submit in the session adjourned without result. After a long delay, the West Virginia commission, in a conference held on March 1, 1914, with the Virginia commission from Virginia, submitted the proposition upon which it had been working for months. The discovery of a certain credit due West Virginia was claimed in the form of assets possessed by Virginia to the amount of \$26,310,357.98, of which West Virginia should receive her portion, or \$1,890,434.12. Deducting this from the amount assigned to West Virginia, the commissioners agreed that \$2,327,195.28 would be a fair amount the Virginia as a final settlement.

**Again in Hands of Court.**<